

ORDINANCE NO. 259

AN ORDINANCE to require the filling in of lots or parcels of land in the City of Alexandria which, because of the contour of the surface of the land, catch and hold rain and surface drainage water; to provide for the filling of such lots or parcels of land by the City at the cost and expense of the owner, upon his refusal after notice; and to provide penalties for the violation of its provisions.

Be It Ordained by the Council of the City of Alexandria, Virginia:

Section 1. It shall be the duty of the owner or owners of any lot or parcel of land located in the City of Alexandria which, because of the contour of the surface of the land, catches and holds rain and surface water, so that pools or ponds of stagnant water result, to fill in such lots or parcels of land with earth to such grade as will prevent the collection of such pools or ponds of stagnant water. In cases where the basin formed by the contour of the land in which such water collects is composed of two or more lots or parcels of land in separate ownership, the owner or owners shall be responsible for the filling in of such portions of their respective lots or parcels of land as may be affected. At the request of any owner, the City Engineer shall furnish the proper grade to which such fill should be made.

The provisions of this section shall be applicable in all cases where stagnant water collects, whether the result of abandoned excavations, establishments of street grades, or otherwise.

Section 2. In the event that any owner or owners shall fail or refuse to fill in any such lot or parcel of land as provided in Section 1 hereof, within 10 days of receipt of written notice from the City Manager so to do, same to be sent by registered mail, the City Manager may cause such lot or parcel of land to be filled in with earth to the proper grade, and the cost thereof shall be a charge against such owner or owners and the amount thereof shall be certified by the City Manager to the City Collector to be added to the current tax bill against said land, and the same shall constitute a lien thereon as a part of said current tax bill, and such charges shall bear interest at the rate of 6% commencing thirty days after completion of this work.

In addition to certifying the amount of such charges to the City Collector, the City Manager may certify same to the City Attorney for such appropriate action at law to recover same as may be deemed proper.

Section 3. Any violation of the provisions of this ordinance shall be subject to a fine of not less than \$5.00, nor more than \$100.00, and each day that any owner fails or refuses to comply after 10 days from receipt of the written notice from the City Manager as provided in Section 2 hereof, shall constitute a separate offense, but such notice shall not be a pre-requisite to liability for violation of the provisions of Section 1 hereof.

Section 4. This ordinance shall take effect April the 20th, 1938.

Approved this 12th day of April, 1938.

RICHARD L. RUFFNER,
Mayor.